

REMARKS/ARGUMENTS

Reconsideration of this application in light of the above amendments and following comments is courteously solicited.

Independent claim 50 has been canceled.

Dependent claims 53, 54, 56 and 59 have been canceled.

Claims 51, 52, 55, 57, 58, 60 and 65 have been amended.

Independent claim 51 has been extensively amended so as to define over the prior art. Independent claim 51 sets forth that the housing is provided with a radially circumferential constriction (19) and a plurality of the strain sensors are arranged separated from one another radially around the circumferential constriction. Support for the limitation added to independent claim 51 can be found, for example, in paragraph [0040] of the published application, Publication No. US 2006/0207338 A1.

It is respectfully submitted that the prior art references cited by the Examiner whether taken alone or in combination fail to teach, disclose, suggest, or render obvious the subject matter amended independent claim 51.

The present invention as claimed in independent claim 51 sets forth a specific arrangement of strain sensors in the area of a radially circumferential constriction which allows for measurement of torque. None of the prior art references taken alone or in combination teach, disclose, suggest or render obvious such a structure and location of strain sensors for the purposes of measuring torque.

Matsushima et al. do not disclose any measuring system for measuring forces or torques. Furthermore, Matsushima et al. relate to a completely different subject, namely a starter for a combustion machine. Therefore, the person skilled in the art would not have combined Matsushima et al. with Casler, Elias or

Sakakibara et al.

Furthermore, Sakakibara et al. do not disclose any strain sensor being attached to the housing in the area of a circumferential constriction. In detail, Sakakibara et al. disclose to provide a cantilever arm (40) which is in engagement with two flanges of a housing. Strain sensors are attached to the cantilever arm. However, these strain sensors are not attached to the housing and moreover, the strain sensors are not arranged in the area of the circumferential constriction. The strain sensors are arranged outside of the circumferential constriction according to the teaching of Sakakibara et al. Therefore, Sakakibara et al. do not disclose or render obvious the features of amended claim 51.

It should be noted, that the arrangement of Sakakibara et al. is not capable of measuring torques acting on the transmission housing. The reason is, that torques acting on the transmission housing would lead to a small rotation of parts of the housing. However, the cantilever arm (40) is not capable of measuring such a rotation since the cantilever arm can slide inside of the constriction of the arrangement of Sakakibara et al. (see figure 1: cylindrical shaft 39 not being attached by any screws or comparable means).

The present invention as claimed in independent claim 51 allows a measurement of torques acting on a transmission housing without any further parts being attached to the transmission housing. The arrangement of strain sensors in the area of a circumferential constriction allows a measurement of torques. The reason is, that deformations have a maximum in the circumferential constriction due to the thinning out of the material in this area, which provides for a lower torsional rigidity.

In addition to the foregoing, it is submitted that the dependent claims contain patentable merit in their own right. In this regard, the Examiner's attention is drawn specifically to dependent claims 57 and 58. None of the prior art references suggest at least one strain sensor located in the restriction (19). It is believed that these claims further define over the prior art.

In addition, the details of the dampening element as set forth in claims 52 and 65-68 are likewise not shown in the prior art.

In light of the foregoing, it is submitted that independent claim 51 and the claims which depend therefrom patentably define over the art of record and the early issuance of a formal notice of allowance is respectfully requested.

An earnest and thorough attempt has been made by the undersigned to resolve the outstanding issues in this case and place same in condition for allowance. If the Examiner has any questions or feels that a telephone or personal interview would be helpful in resolving any outstanding issues which remain in this application after consideration of this amendment, the Examiner is courteously invited to telephone the undersigned and the same would be gratefully appreciated.

If any fees are required in connection with this case, it is respectfully requested that they be charged to Deposit Account No. 02-0184.

Respectfully submitted,

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